IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 1990 OF 2007

Nisha Rajivkumar Relham
and others. ... Applicants.

V/s.

State of Maharashtra. ... Respondent.

Ms.Anjali Patil for applicant.

Rajesh More, APP for respondent No.1-State.

Goswami Mandar for respondent No.2

CORAM: V.C.DAGA, J.

DATED: 24th July 2007.

P.C.:

. Heard learned counsel for the rival parties.

2. By this application, the applicants are seeking directions to the respondents to return back their passports. It is not in dispute that the applicants are not accused in the prosecution pending in case No.R.B.C.A.1/2004/A0024 dated 28th April, 2004 for the trial of offence punishable under sections 120-B, 409, 420, 467, 468 and 471 of Indian Penal Code read with section 13(1) (c) & (d) and 13(2) of the P.C.Act, 1988. In that view of the matter, there is no justification in retaining their pass-ports. As such applicants are entitled to get back their

pass-ports.

3. In the above view of the matter, the impugned order dated 21st May, 2005 passed below Exh.1 in Criminal Misc. Application No.330/2005 by the Incharge Special Judge, Nashik is quashed and set aside.

4. In the result, application is made absolute in terms of prayer clause (i). The pass-ports be returned to the applicants after taking out its zerox copies and after due certification thereof at the costs of the applicants. Application stands disposed of accordingly.

JUDGE

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